



General Assembly

January Session, 2015

Raised Bill No. 6876

LCO No. 3831



Referred to Committee on LABOR AND PUBLIC EMPLOYEES

Introduced by:
(LAB)

***AN ACT CONCERNING PUBLIC INSTITUTIONS OF HIGHER
EDUCATION AND COLLECTIVE BARGAINING AGREEMENTS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2015*) (a) For purposes of this
2 section, "labor organization" means any organization which exists and
3 is constituted for the purpose, in whole or in part, of collective
4 bargaining, or of dealing with employers concerning grievances, terms
5 or conditions of employment, or other mutual aid or protection, and
6 "public institution of higher education" means the constituent units of
7 the state system of higher education identified in subdivisions (1) to
8 (4), inclusive, of section 10a-1 of the general statutes.

9 (b) No collective bargaining agreement entered into on and after the
10 effective date of this section between a public institution of higher
11 education and a labor organization shall contain any provision (1)
12 prohibiting an employee covered under such collective bargaining
13 agreement from filing a civil or administrative action alleging
14 discrimination or retaliation for the exercise of any right afforded to
15 such employee pursuant to any state or federal law, or (2) limiting an

16 employee's right to arbitrate a grievance under a collective bargaining
17 agreement if such employee has commenced a civil or administrative
18 proceeding concerning such grievance.

19 (c) Any employee aggrieved by a violation of subsection (b) of this
20 section may file a complaint with the Labor Commissioner alleging
21 violation of the provisions of said subsection. Upon receipt of any such
22 complaint, the commissioner may hold a hearing. After the hearing,
23 the commissioner shall send each party a written copy of the
24 commissioner's decision. The commissioner may award the employee
25 all appropriate relief, including rehiring or reinstatement to the
26 employee's previous job, payment of back wages and reestablishment
27 of employee benefits to which the employee otherwise would have
28 been eligible if a violation of said subsection had not occurred. Any
29 party aggrieved by the decision of the commissioner may appeal the
30 decision to the Superior Court in accordance with the provisions of
31 chapter 54 of the general statutes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2015	New section

Statement of Purpose:

To prohibit public institutions of higher education from placing provisions in collective bargaining agreements that would prevent an employee from seeking a civil or administrative cause of action in favor of arbitration under a collective bargaining agreement.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]